

**Commonwealth of Kentucky  
Environmental and Public Protection Cabinet  
Department for Environmental Protection  
Division for Air Quality  
803 Schenkel Lane  
Frankfort, Kentucky 40601  
(502) 573-3382**

**AIR QUALITY PERMIT**

**Issued under 401 KAR 52:030**

**Permittee Name:** Duro Standard Products Company, LLC  
**Mailing Address:** 7600 Empire Drive  
Florence, Kentucky 41042

**Source Name:** Duro Standard Products Company, LLC  
**Mailing Address:** 7600 Empire Drive  
Florence, Kentucky 41042

**Source Location:** Same as above

**Permit Number:** F-04-020  
**Log Number:** 51208  
**Review Type:** Operating, Conditional Major  
**KYEIS ID #:** 021-015-00019  
**Agency Interest:** 174  
**SIC Code:** 2674

**Regional Office:** Florence Regional Office  
8020 Veterans Memorial Drive, Suite 110  
Florence, KY 41042  
(859) 525-4923

**County:** Boone

**Application**  
**Complete Date:** September 15, 2000  
**Issuance Date:** January 24, 2005  
**Expiration Date:** January 24, 2010

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**John S. Lyons, Director  
Division for Air Quality**

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## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and received a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

## SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

**Description:** Forty (40) Flexographic Presses installed prior to August 30, 2002\*\*. Not equipped with provisions by which any emissions may be delivered to a control device.

\*\* Addition operating limitation applies to these affected facilities. Regulation 401 KAR 59:212 was applicable to source when presses were installed.

Emission Point #	Line Number	Install Date	Printer Make	Model No.	Serial No.	Number of Stations	Pan Size in Inches			Volume in Cubic Feet	Gallons per Ink Pan	Gallons per Printer
							Length	Width	Depth			
20156	PP1	9/1983	VanDam Fischer & Krecke	34DF	54489	6	62.5	19.5	2.75	1.940	14.51	87.05
20157	PP2	9/1983	Windmoller & Holscher	QMS900	21115	5	72.25	20.25	2.75	2.328	17.42	87.08
20185	PP3	12/1986	Kidder Central Impression	6FR6	4137	6	47	11	2.25	0.673	5.04	30.21
20152	LL01	10/1999	HG Weber		1629FP	2	69	12	4	1.917	14.34	28.67
20183	LL02	8/2002	HG Weber		WS-4-1755	4	68.5	13.5	4	2.141	16.01	64.05
20153	LL03	11/1999	HG Weber	QMS990	12302	2	60	13	5	2.257	16.88	33.76
20135	M01	11/1998	Beasley French			2	31	12	3	0.646	4.83	9.66
20138	M04	11/1998	Beasley French		B452	4	51	13	3	1.151	8.61	34.44
20139	M05	8/2002	R & D		0-2339	3	35.5	15.5	4	1.274	9.53	28.58
20140	M06	11/1998	Beasley French	VBF15-45-2		4	47.5	13	2.5	0.893	6.68	26.73
20141	M07	11/1998	Beasley French	VBF15-45-2	1292	2	50.5	13	2.5	0.950	7.10	14.21
20143	M09	11/1999	Beasley French			2	31	12	3	0.646	4.83	9.66
20126	M10	12/1999	R & D			2	35	8	4	0.648	4.85	9.70
20056	M11	12/2001	Lung Meng	FP40120A2	11209	4	52	12	4	1.444	10.80	43.22
20154	M12	2/2002	Lung Meng	FP4080A2	11201	4	37	12	4	1.028	7.69	30.75
20145	M13	11/1999	R & D		Q-2095-C	2	46	8	4	0.852	6.37	12.74
20180	M14	8/2002	R & D	2154	Q-2131-P	4	67	15.5	4	2.404	17.98	71.93
20147	M15	12/1999	R & D		Q-2090-P	2	35	12	4	0.972	7.27	14.54
20148	M16	3/2002	Lung Meng	QMS992	15598	4	37	12	4	1.028	7.69	30.75
20149	M17	12/1999	R & D		Q-2271	2	35.5	8	4.5	0.740	5.53	11.06
20150	M18	12/1999	Windmoller & Holscher	QMS991A	12186	4	53.5	12	4.5	1.672	12.51	50.02
20151	M19	2/2000	R & D			4	43.5	12	4.5	1.359	10.17	40.67
20122	G01	7/1999	Windmoller & Holscher	QMS992	8399	4	39	12	5	1.354	10.13	40.52
20123	G02	7/1999	Windmoller & Holscher	QMS992	9767	4	33.5	14	4	1.086	8.12	32.48
20124	G03	7/1999	Modified Wolverine			4	29	11	5	0.923	6.90	27.62
20125	G04	7/1999	Windmoller & Holscher	QMS1015	7782	4	25.5	10	5	0.738	5.52	22.08
20126	G05	1/2000	Duro			2	21	10	3	0.365	2.73	5.45
20127	G06	1/2000	CI			4	48	12	4	1.333	9.97	39.89
20128	G07	1/2000	Carint		4907F	4	36.5	12	3	0.760	5.69	22.75
20129	G08	1/2000	Newlong			2	32	11	3	0.611	4.57	9.14
20130	G09	1/2000	CI			4	29	12	4	0.806	6.03	24.10
20131	G10	1/2000	Duro			4	29	9.5	3	0.478	3.58	14.31
20155	G11	1/2000	Lung Meng	FP4080A1	710	4	39	13	2	0.587	4.39	17.56
20132	G12	1/2000	CI			4	36	12	3	0.750	5.61	22.44
20172	G13	12/1999	Newlong	V14-FA		2	35	9	5	0.911	6.82	13.64
20061	G15	1/2000	Potdevin			2	37	10	4	0.856	6.41	12.56
20134	G17	12/1999	Duro			2	27	9	5	0.703	5.26	10.52
20160	G20	8/2002	R & D	360	Q-2751-28	4	35.75	15.5	4	1.283	9.59	38.38
20161	G21	8/2002	R & D	4P2-281/2	Q-2548	4	35.5	10	4	0.822	6.15	24.59
20119	Storage - Not in Use		Duro Bag			2	38	17	4	1.495	11.19	22.37

### APPLICABLE REGULATIONS:

40 CFR Part 63, Subpart KK—National Emission Standards for the Printing and Publishing Industry. Applicable to each new and existing facility at which publication rotogravure, product and packaging rotogravure, or wide-web flexographic printing presses are operated for which the owner or operator chooses to commit to, and meets the criteria of establishing the facility to be an area source with respect to this subpart:

#### 1. Operating Limitations:

Utilize waterborne inks whose volatile portion consists of seventy-five (75) volume percent water and twenty-five (25) volume percent organic solvent (or a lower VOC content) in all printing units.

## SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE

**REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Compliance Demonstration Method:**

$$\% \text{ Volume VOC} = 1 \text{ gallon} - \% \text{ volume solids} - \% \text{ volume water} - \% \text{ volume E.S.}$$

Where;

$$\% \text{ volume solids} = \text{MSDS or other manufacturers specification}$$

$$\% \text{ volume water} = \text{ink density (lbs / gal)} * \frac{\text{weight \% water}}{8.34 \text{ lbs / gal}}$$

$$\% \text{ volume E.S.} = \sum_{i=1}^n \text{ink density (lbs / gal)} * \frac{\text{weight \% exempt solvent "i" }}{\text{density exempt solvent "i" }}$$

2. **Emission Limitations:** See Section D.

3. **Testing Requirements:**

- (1) Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.
- (2) If deemed necessary by the Division, the Division shall obtain samples of the inks used to verify that the inks meet the requirements specified under, **1. Operating Limitations.**

4. **Specific Monitoring Requirements:** See Recordkeeping Requirements.

5. **Specific Recordkeeping Requirements:**

- (1) Daily records shall be maintained by the source for the most recent two (2) year period. These records shall be made available to the Cabinet or the U.S. EPA upon request. These records shall include the following:
  - (a) Applicable administrative regulation number;
  - (b) Application method and substrate type;
  - (c) Amount and type of graphic arts material or solvent used including exempt compounds;
  - (d) The VOC content as applied in each graphic arts material or solvent;
  - (e) The date for each application for graphic arts material or solvent;
  - (f) The amount of surface preparation, cleanup, or washup solvent (including exempt compounds) used and the VOC and HAP content of each;
- (2) 40 CFR Part 63, Subpart KK, § 63.829(d)  
The mass of all HAP containing materials used and the mass fraction of HAP present in each HAP containing material used, on a monthly basis.
- (3) Monthly VOC and HAP emissions shall be calculated per Section D, Compliance Demonstration Method.
- (4) A new 12-month rolling total for VOC and HAP emissions shall be calculated each month.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE**

**REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

6. **Specific Reporting Requirements:** The permittee shall report VOC emissions and HAP emissions as part of the semiannual reporting as required in Section F (5) & (6).
7. **Specific Control Equipment Operating Conditions:** None
8. **Alternate Operating Scenarios:** None

## SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

**Description:** Twenty-One (21) Flexographic Presses installed after August 30, 2002. Not equipped with provisions by which any emissions may be delivered to a control device.

Emission Point #	Line Number	Install Date	Printer Make	Model No.	Serial No.	Number of Stations	Pan Size in Inches			Volume in Cubic Feet	Gallons per Ink Pan	Gallons per Printer
							Length	Width	Depth			
20184	LL04	5/2004	HG Weber			2	60	12	4	1.667	12.47	24.93
20136	M08	8/2003	Beasley French		2173	2	50	12	2.5	0.868	6.49	12.99
20179	M11A	2/2004	R & D		Q-2264-P	3	35	13	4	1.053	7.88	23.63
20167	M14A	6/2003	R & D		Q-2278-P	2	35	15	4	1.215	9.09	18.18
20168	M15A	9/2003	R & D			2	40	10	3	0.694	5.19	10.39
20181	M20	11/2003	R & D		Q-2095-C	2	46	13	4	1.384	10.35	20.71
20146	M21	11/2003	R & D			2	35	13	4	1.053	7.88	15.76
20182	M22	12/2003	R & D	360	Q-2715-48	4	49	13	4	1.475	11.03	44.12
20169	G00	6/2003	Duro			1	21	11	3	0.401	3.00	3.00
20170	G06A	9/2003	Lung Meng	FP4080A3	30914	4	37	12	4	1.028	7.69	30.75
20171	G06B	6/2003	Lung Meng	FP40120A2	11210	4	52	12	4	1.444	10.80	43.22
20173	G14	3/2004	Lung Meng	FP40120A2	30918	4	52	12	4	1.444	10.80	43.22
20174	G17A	4/2003	R & D		2241-P	2	35	8	4	0.648	4.85	9.70
20175	G18	4/2004	R & D		Q-2272	2	35.5	10	4	0.822	6.15	12.29
20176	G19	2/2004	Lung Meng	FP4080A3	30911	4	37	12	4	1.028	7.69	30.75
20162	G22	9/2002	R & D		4P128	3	35.5	10	4	0.822	6.15	18.44
20177	G23	3/2004	Lung Meng	FP40120A2	30917	4	52	12	4	1.444	10.80	43.22
20164	G25	10/2002	Davis		63-437-1257	2	25	11	4.5	0.716	5.36	10.71
20178	G26	11/2002	Davis			2	37	11	4.5	1.060	7.93	15.86
20165	G27	1/2003	R & D		Q-2250-P	3	50	12	4	1.389	10.39	31.17
20166	G28	1/2003	R & D		Q-2249	3	53	10	4	1.227	9.18	27.53

### **APPLICABLE REGULATIONS:**

40 CFR Part 63, Subpart KK—National Emission Standards for the Printing and Publishing Industry. Applicable to each new and existing facility at which publication rotogravure, product and packaging rotogravure, or wide-web flexographic printing presses are operated for which the owner or operator chooses to commit to, and meets the criteria of establishing the facility to be an area source with respect to this subpart:

- Operating Limitations:** See Section D.
- Emission Limitations:** See Section D.
- Testing Requirements:** Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.
- Specific Monitoring Requirements:** See Recordkeeping Requirements.
- Specific Recordkeeping Requirements:**
  - Daily records shall be maintained by the source for the most recent two (2) year period. These records shall be made available to the Cabinet or the U.S. EPA upon request. These records shall include the following:
    - Applicable administrative regulation number;
    - Application method and substrate type;
    - Amount and type of graphic arts material or solvent used including exempt compounds;
    - The VOC content as applied in each graphic arts material or solvent;
    - The date for each application for graphic arts material or solvent;

## SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE

**REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

- (1) The amount of surface preparation, cleanup, or washup solvent (including exempt compounds) used and the VOC and HAP content of each;
  - (2) 40 CFR Part 63, Subpart KK, § 63.829(d)  
The mass of all HAP containing materials used and the mass fraction of HAP present in each HAP containing material used, on a monthly basis.
  - (3) Monthly VOC and HAP emissions shall be calculated per Section D, Compliance Demonstration Method.
  - (4) A new 12-month rolling total for VOC and HAP emissions shall be calculated each month.
6. **Specific Reporting Requirements:** The permittee shall report VOC emissions and HAP emissions as part of the semiannual reporting as required in Section F (5) & (6).
7. **Specific Control Equipment Operating Conditions:** None
8. **Alternate Operating Scenarios:** None



## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**B01 (B01)** No. 2 Fuel Oil Fired Boiler

**Description:** Superior Boiler Works, w/Osage Boiler Burner, No. 2 Fuel Oil Fired  
8.9 MMBtu/hr input  
Installed (3/1981)

### **APPLICABLE REGULATIONS:**

Regulation 401 KAR 59:015, applicable per Section 2 (1); “Affected facility” means an indirect heat exchanger having a heat input capacity of more than one (1) million BTU per hour. Regulation is applicable to each affected facility commenced on or after April 9, 1972 with respect to particulate emissions and sulfur dioxide emissions, [Section 2 (3) (b)].

1. **Operating Limitations:** None

2. **Emission Limitations:**

401 KAR 59:015

- (1) Section 4(1)(a) limits emissions of particulate matter to (0.56) pounds per million BTU actual heat input.
- (2) Section 4(2) limits visible emissions from each stack to less than 20% opacity except:
  - 4(2)(b) A maximum of forty (40) percent opacity shall be permissible for not more than six (6) consecutive minutes in any sixty (60) consecutive minutes during cleaning the fire box or blowing soot.
  - 4(2)(c) For emissions from an indirect heat exchanger during building a new fire for the period required to bring the boiler up to operating conditions provided the method used is that recommended by the manufacturer and the time does not exceed the manufacturer’s recommendations.
- (3) Section 5(1)(a) limits emissions of sulfur dioxide to (3.0) pounds per million BTU actual heat input.

### **Compliance Demonstration Method:**

- (1) Purchasing records for the No. 2 Fuel Oil shall be sufficient to show compliance with Emission Limits (1) and (3).
- (2) The permittee shall perform a qualitative visual observation of the opacity of emissions from the roof top vent at least once per operating month and maintain a log of the observations. If visible emissions from the stack are observed, (not including condensed water vapor within the plume), then the opacity shall be determined by Reference Method 9. If emissions are in excess of the applicable opacity limit, then an inspection shall be initiated for all necessary repairs.

3. **Testing Requirements:** Testing shall be conducted at such times as may be required by the Cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

4. **Specific Monitoring Requirements:** None

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

5.     Specific Recordkeeping Requirements: None
6.     Specific Reporting Requirements:             None
7.     Specific Control Equipment Operating Conditions: None
8.     Alternate Operating Scenarios: None

**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Preprinter Drying Oven	None
2. Propane Storage Tank	None
3. #2 Fuel Oil Storage Tank	None
4. Solvent Cleaners (2), (Safety-Kleen 105 Solvent) Safety Kleen Model 16, Ser. No. 1739-825 d 2.5 ft x 1.6 ft x 0.58 ft Installed 1989  Duro Model n/a, Ser. No. n/a 3.63 ft x 1.83 ft x 2 ft Installed 1989	59:185 *
* Evidence shall be provided that waste solvent shall be stored or properly disposed of with minimal loss due to evaporation. 401 KAR 59:185, Section 8, Exemptions, (4)	
5. Natural Gas Fired Boiler Cleaver Brooks Model ProFire, Low NO <sub>x</sub> Burners and Flue Gas Recirculation 2.5 MMBtu/hr input Installed (4/2000)	59:015
6. Thermal Incinerator – (Not in Service) Smith Environmental Corp. TAB10-80 natural gas-fired	None

## SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

2. **Emission Limitations:**

- A. The permittee shall have the source wide emissions of VOC (Volatile Organic Compounds)  $\leq 20$  tons during any consecutive 12 months period. [401 KAR 52:030]

**Compliance Demonstration Method:** Total monthly VOC emissions, V, in pounds, shall be calculated using a material balance.

$$V = \sum_{i=1}^p M_i C_{vi} + \sum_{j=1}^q M_j C_{vj}$$

Where;  $M_i$  = mass of ink or other solids containing material, i, applied in a month, lb.

$M_j$  = mass of solvent, thinner, reducer, diluent, or other non-solids-containing material, j, applied in a month, lb.

$C_{vi}$  = the volatile matter content of ink or other material, i, expressed as a weight-fraction, lb/lb, less water and/or exempt solvent.

$C_{vj}$  = the volatile matter content of solvent, j, expressed as a weight-fraction, lb/lb, less water and/or exempt solvent

i = individual ink or other solids containing material

j = individual solvent, thinner, reducer, diluent, or other non-solids-containing material

p = the number of different inks, coatings, varnishes, adhesives, primers, and other materials applied in a month.

q = the number of different non-solids-containing materials applied in a month

- B. The permittee shall have the source wide emission limitation of Single Hazardous Air Pollutants (HAP)  $\leq 9$  tons during any consecutive 12 months period. [401 KAR 52:030]

**Compliance Demonstration Method:** Total monthly organic HAP emissions, H, in pounds, shall be calculated using a material balance.

$$H = \sum_{i=1}^p M_{hi} C_{hi}$$

Where;  $M_{hi}$  = mass of ink or other HAP containing material, i, applied in a month, lb.

$C_{hi}$  = the organic HAP content of ink or other material, i, expressed as a weight-fraction, lb/lb.

i = individual HAP containing material, (i.e. toluene, xylene, etc.)

p = the number of different HAP containing materials applied in a month.

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

**SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS**

1. Pursuant to Section 1b (IV)(1) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place (as defined in this permit), and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

## **SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

6. The semi-annual reports are due by January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall submit written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.5 [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
  - a. Identification of each term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

## **SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

- f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

Division for Air Quality  
Florence Regional Office  
8020 Veterans Memorial Drive, Suite 110  
Florence, KY 41042

Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601

10. In accordance with 401 KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission report is not mailed to the permittee, comply with all other emission reporting requirements in this permit.
11. Pursuant to Section VII (3) of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.
12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
    - i. The size and location of both the original and replacement units; and
    - ii. Any resulting change in emissions;
  - b. The PTE of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
  - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
  - d. The replacement unit shall comply with all applicable requirements; and
  - e. The source shall notify Regional office of all shutdowns and start-ups.
  - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
    - i. Re-install the original unit and remove or dismantle the replacement unit; or
    - ii. Submit an application to permit the replacement unit as a permanent change.



## SECTION G - GENERAL PROVISIONS

### (a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
  - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
4. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.
5. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Sections 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

6. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].
7. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
8. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
10. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
11. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].
12. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
13. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Environmental and Public Protection or any other federal, state, or local agency.
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
15. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

16. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
17. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
  - a. Applicable requirements that are included and specifically identified in this permit; and
  - b. Non-applicable requirements expressly identified in this permit.
18. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].
19. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

No construction authorized by this permit

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
  - a. An emergency occurred and the permittee can identify the cause of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
  - d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
2. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030 Section 23(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center  
P.O. Box 3346  
Merrifield, VA, 22116-3346

## SECTION G - GENERAL PROVISIONS (CONTINUED)

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
  - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

**SECTION H - ALTERNATE OPERATING SCENARIOS**

None

**SECTION I - COMPLIANCE SCHEDULE**

None